

## **Must SEAs Require that LEAs Notify Parents of the Availability of Public School Choice and SES Via Mail?**

### **Question:**

Must an SEA require that its LEAs notify parents of eligible students of the availability of public school choice and SES through regular mail?

### **Response:**

Federal regulations require that, throughout the school improvement process, LEAs provide information to parents "(1) Directly, through such means as regular mail or e-mail," and "(2) Through broader means of dissemination such as the Internet, the media, and public agencies serving the student population and their families" [34 CFR 200.36(c)]. To meet the requirement to provide information directly to parents, an SEA may require that LEAs notify parents of their public school choice and SES options through regular mail. However, the SEA is not required to do so. In absence of such a requirement from the SEA, an LEA may meet its responsibility to directly inform parents through other means such as through e-mail or by sending a notice to parents home in a student's backpack.

In setting policy in this area, an SEA and its LEAs should consider which method of direct communication will most effectively reach parents of eligible students and, in doing so, should take into account such factors as family mobility, student grade level, and access to the Internet. An SEA and LEA may together find that the particular circumstances of the LEA, or of a subgroup of eligible students within the LEA, may favor one type of direct communication over another. Of course, an LEA may choose to notify parents through multiple direct means, so as to further increase the likelihood of reaching parents.

Additionally, SEAs and LEAs should bear in mind that an LEA must be able to demonstrate that it has met the parent notification requirement. If the LEA chooses to send notices home in a student's backpack, the SEA and LEA should consider what evidence is sufficient to verify that the LEA has met its responsibility. An LEA could, for instance, ask for signed responses from parents acknowledging that they have received the notice. Alternatively, the LEA could show that it has met the requirement to notify parents by demonstrating a sufficient level of demand for SES, through the number of requests for services or the number of participating students.